

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV443788334US

Express Mail Label Number

January 7, 2005

Date of Deposit

Form PTO-1390-MOD
(REV 10-96)

U. S. Department of Commerce Patent and Trademark Office

ATTORNEY'S DOCKET NUMBER

BP/G-32575A/BCK

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

10/520568

INTERNATIONAL APPLICATION NO.
PCT/EP03/07349INTERNATIONAL FILING DATE
8 July 2003 (08.07.03)PRIORITY DATE CLAIMED
9 July 2002 (09.07.02)

TITLE OF INVENTION

LIQUID FORMULATIONS WITH HIGH CONCENTRATION OF HUMAN GROWTH HORMONE (HGH) COMPRISING 1,2-PROPYLENE GLYCOL

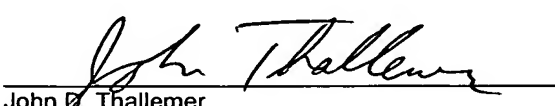
APPLICANT(S) FOR DO/EO/US
BETZ ET AL.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau. (See Form PCT/IB/308)
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An executed Declaration and Power of Attorney (original or copy) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included.

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. ...
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Unexecuted Declaration and Power of Attorney

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/520568		INTERNATIONAL APPLICATION NO. PCT/EP03/07349		ATTORNEY'S DOCKET NUMBER BP/G-32575A/BCK	
21. <input checked="" type="checkbox"/> The following fees are submitted:					CALCULATIONS PTO USE ONLY
a) Basic national fee.				\$300	
b) Examination fee.				\$200	
c) Search fee.				\$500	
TOTAL OF ABOVE CALCULATIONS =					\$ 1000
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
21 - 100 =	0	/50 =		0	X \$ 250 \$
Surcharge of \$130 for furnishing the oath of declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					\$
CLAIMS	NUMBER FILED	NUMBER EXTRA		RATE	
Total claims	20	- 20 =		X \$ 50	\$
Independent claims	1	- 3 =		X \$ 200	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 360	\$
TOTAL OF ABOVE CALCULATIONS =					\$ 1000
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).					\$
SUBTOTAL =					\$ 1000
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					\$
TOTAL NATIONAL FEE =					\$ 1000
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property					\$
TOTAL FEES ENCLOSED =					\$ 1000
					Amount to be: \$
					refunded
					charged \$
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge Deposit Account No. 19-0134 in the name of Novartis in the amount of \$1000 to cover the above fees. A duplicate copy of this form is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-0134 in the name of Novartis.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.					
Send all correspondence to the address associated with Customer No. 001095, which is currently:					
Novartis Corporate Intellectual Property One Health Plaza, Building 104/3 East Hanover, NJ 07936-1080			 John D. Thallemer Attorney for Applicant Reg. No. 34,940 (862) 778-7945		